



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,842	03/31/2004	Shaula Alexander Yemini	EMC-05-098(PRO)ORD	6059
24227 7590 11/30/2010				
EMC CORPORATION				
OFFICE OF THE GENERAL COUNSEL				
176 SOUTH STREET				
HOPKINTON, MA 01748				
EXAMINER				
KIM, EUNHEE				
ART UNIT		PAPER NUMBER		
2123				
MAIL DATE		DELIVERY MODE		
11/30/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/813,842

Applicant(s)

YEMINI ET AL.

Examiner

EUNHEE KIM

Art Unit

2123

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 20-33, 42, 44, 45, 88-93, 107-118, 127, 129, 130, 147-152, 165-177, 185, 187-188 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 20-21, 23-33, 42, 44, 45, 147-149, 152, 165-177, 185, 187-188 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 22, 88-93, 107-118, 127, 129-130, and 150-151 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-552)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of the Appeal Brief filed on 08/30/2010, PROSECUTION IS HEREBY REOPENED. A new ground of rejection for Claims 1-6, 20-33, 42, 44-45, 88-93, 107-118, 127, 129-130, 147-152, 165-177, 185, and 187-188 is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Paul L Rodriguez/

Supervisory Patent Examiner, Art Unit 2123

Claim Objections

2. Claim 22, 88-93, 107-118, 127, 129-130, and 150-151 are objected to because of the following informalities:

As per Claim 22, it is an improper dependent claim which is dependent from claim 1.

As per Claims 150 and 151, they are active claims which also have a corresponding cancelled claim number. It is suggested that applicant cancel all of the claims which had duplicate numbers and add them as new claims after the last claim in the list to avoid any possible problems in the future.

As per Claims 88-93, 107-118, 127, and 129-130, they recite the limitation “computer-readable media”. It is not clear if “media” is statutory or non-statutory as there is no definition in the specification. The claim could cover non-statutory forms of media. Thus the clarification of “media” is required; it is recommended that “computer-readable media” has to be replaced with “computer storage media”.

Appropriate correction is required.

Allowable Subject Matter

3. Claim 1-6, 20-33, 42, 44-45, 88-93, 107-118, 127, 129-130, 147-152, 165-177, 185, and 187-188 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

While Bowman-Amuah teaches a method for modeling a system having one or more components including dividing said system into one or more components, defining a plurality of realms, wherein each of said realms contains objects representing attributes and relationships of selected ones of said one or more components, wherein said one or more components represented include at least one physical element of the system, wherein each of said plurality of realms contains at least one object common to at least two of said plurality of realms, defining associations between realms to unify objects in said realms, wherein said associations represent

at least one object common to at least two of said realms, unifying objects in said realms based on said associations and processing a function in a realm, and propagating a behavior of one of the unified objects of one realm to said unified object of another realm using at least one association between the one realm and the another realm,

none of the prior art of record discloses a method for multi-realm system modeling, including:

(Claim 1) “(e) processing a function in a first realm of said plurality of realms independent of said other realms of said plurality of realms ...

(f) propagating a behavior, based on a result of said function, of one of the unified objects of said first realm to said unified object of a second realm of said plurality of realms using said at least one association between the first realm and the second realm to determine the impact of the function of the first realm in the second realm.”,

(Claim 88) “(e) process a function in a realm independent of said other realms, and based on said process; and

(f) propagate a behavior of one of the unified objects of one realm to said unified object of another realm using at least one association between the one realm and the another realm.”, and

(Claim 147) “(e) means for processing a function in a realm independent of said other realms, and based on said processing means; and

(f) means for propagating a behavior of one of the unified objects of one realm to said unified object of another realms using at least one association between the one realm and the another realm.”,

in combination with the remaining elements and features of the claimed invention.

It is for these reasons that the applicant's invention defines over the prior art of record.

Conclusion

5. This application is in condition for allowance except for the following formal matters:
Claim objections.

Prosecution on the merits is closed in accordance with the practice under *Ex parte* Quayle, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUNHEE KIM whose telephone number is (571)272-2164. The examiner can normally be reached on 8:30am-5:00pm Monday to Friday.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eunhee Kim/
Examiner, Art Unit 2123

/Paul L Rodriguez/
Supervisory Patent Examiner, Art Unit 2123